tendere. Fine of $750 against Clyde B. Wiles and partnership on 4 counts of information; fine of $750 against W. Paul Wiles and partnership on remaining 4 counts of information. (F. D. C. No. 30607. Sample Nos. 76805–K, 76817–K, 76824–K, 76825–K, 76829–K, 76830–K, 76832–K, 76833–K.)

INFORMATION FILED: July 6, 1951, Western District of Tennessee, against the Wiles Drug Store, a partnership, Memphis, Tenn., and against Clyde B. Wiles and W. Paul Wiles, partners in the partnership.

INTERSTATE SHIPMENT: From the States of Virginia, Indiana, and Pennsylvania, into the State of Tennessee, of quantities of *Donnatal tablets*, *Benzedrine Sulfate tablets*, *Tuinal capsules*, and *Dexedrine Sulfate tablets*.

ALLEGED VIOLATION: On or about August 4 and 27, and September 18, 24, and 28, 1950, while the drugs were being held for sale at the Wiles Drug Store after shipment in interstate commerce, various quantities of the drugs were repacked and sold without a prescription, which acts resulted in the repackaged drugs being misbranded.

Wiles Drug Store was charged in each of the 8 counts of the information, Clyde B. Wiles in 4 counts, and W. Paul Wiles in the remaining 4 counts, with causing the acts of repacking and sale of the drugs involved in those counts.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing a statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use in that the directions "One three times a day" borne on the labeling of the *Donnatal tablets*, "One-half tablet one hour before meals" borne on the labeling of the *Benzedrine Sulfate tablets*, "One at bedtime" borne on the labeling of the *Tuinal capsules*, and "One twice a day" borne on the labeling of the *Dexedrine Sulfate tablets* were not adequate directions for use.

Further misbranding, Section 502 (d), the *Donnatal tablets* and the *Tuinal capsules* contained derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and the label of the repackaged drugs failed to bear the name, and quantity or proportion of such derivatives and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (1), the *Benzedrine Sulfate tablets* and the *Dexedrine Sulfate tablets* failed to bear labels containing the common or usual name of such drugs; and, Section 502 (e) (2), the repackaged *Donnatal tablets* contained hyoscyamine sulfate, hyoscine hydrobromide, and atropine sulfate, and the label of such repackaged tablets failed to bear the name, and quantity or proportion of such substances.

DISPOSITION: July 12, 1951. Pleas of nolo contendere having been entered, the court fined Clyde B. Wiles and the partnership $750 on 4 counts of the information and W. Paul Wiles and the partnership $750 on the remaining 4 counts of the information.

3505. Misbranding of Violetta kits. U. S. v. 21 Kits, etc. (F. D. C. No. 30942. Sample No. 25412–L.)

LIBEL FILED: May 3, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 18, May 8, November 11 and 17, and December 9, 1950, and March 10 and 15, 1951, by Electro-Technic Products, from Chicago, Ill.

PRODUCT: 21 brown simulated leather No. 411 *Violetta kits*, each kit containing a Violetta generator, to which was attached an electric cord; a No. 1 or "General" electrode; and a leaflet entitled "Warning." In addition to the above kits, there were 35 unlabeled accessory attachments consisting of electrodes of various shapes and a number of leaflets entitled "The Advanced Violetta Kits" and "Violetta Electrodes," at Philadelphia, Pa.

The device was an electrical generator to be plugged into an electric outlet to produce a high voltage, higher frequency electrical current. The various shaped electrodes were to be used interchangeably on the generator, and consisted of hermetically sealed glass tubes, each containing a gas under low pressure.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since its labeling failed to specify the method of using the device in the treatment of conditions of the prostate, ear, spine, inside of the throat, vagina, nasal passages, urethra, rectum, and dental abscesses, and for the removal of moles, warts, and growths, which were the purposes and conditions for which the device was offered in the leaflet entitled "Violetta Electrodes" accompanying the device.

Further misbranding, Section 502 (a), the following statements in the accompanying leaflets entitled "The Advanced Violetta Kits" and "Violetta Electrodes" were false and misleading since the device was not capable of producing the effects claimed or of providing benefit in all conditions of the various organs of the body stated and implied: (Leaflet entitled "The Advanced Violetta Kits") " * * * electrical aid in treatments of the skin or the scalp * * * ," " * * * provide the therapeutic values desired to aid in the correction of skin and scalp deficiencies," "It brings nourishment to the hair follicles if used as a scalp treatment or, if used for general body or facial work, the stimulating qualities of the rays carry the food values in the blood stream to feed the epidermis cells on the surface of the body," and " * * * for the treatment of many common conditions"; and (leaflet entitled "Violetta Electrodes") " * * * for any surface application," " * * * very desirable in deep-seated cases," "Used for all scalp treatments. Stimulates the hair roots and cells," "For spinal treatments," "Throat Electrode," "Special Vaginal Electrode," "Vaginal Electrode," "Prostatic Electrode," "Length just right to reach prostate gland," "Internal Throat Electrode," "Nasal and Ear Electrode," "A special Ear Electrode * * * fits in the ear passage," "Urethral Electrode," "Rectual Electrode," "Dental Electrode," and "Dental Abscess."

DISPOSITION: June 27, 1951. Default decree of condemnation and destruction.

DRUG FOR VETERINARY USE

3506. Misbranding of oil-acid-iodine. U. S. v. 29 Cases * * *. (F. D. C. No. 30908. Sample No. 25263–L.)

LIBEL FILED: On or about April 11, 1951, District of Delaware.

ALLEGED SHIPMENT: On or about March 2, 1951, by Whitmoyer Laboratories, Inc., from Myerstown, Pa.

PRODUCT: 29 cases, each containing 4 1-gallon bottles, of *oil-acid-iodine* at